

REMARKS

Reconsideration of the above identified patent application is hereby respectfully requested in view of the foregoing amendments and following remarks. Claims 1, 2, 3, 4, and 7-9 have again been amended for the second time. Claim 5 was previously amended once. Claims 1-5 and 7-9 remain in the case.

A petition and Fee for Extension of Time under 37 CFR 1.136(a) and payment thereof for an appropriate extension is attached hereto.

1. The recitation of 35 U.S.C. 112 is noted as is the rejection of claims 7 and 8 thereunder. Claims 7 and 8 have been amended to positively recite the new structures that are being introduced. Gratitude for the further detailed explanation of this rejection, as provided by Examiner Suhol, is greatly appreciated. Reconsideration is respectfully requested.

2. The recitation of 35 USC 103 (a) and the rejection of remaining claims 1-5 and 7-9 thereunder is noted.

Base claims 1, 3, and 9 have been amended to also recite:

1. that a plurality of objects are used,
2. that all of the objects all rotate continually and automatically in a circle,
3. that they are proximate an infant for only a predetermined period of time,
4. that the period of time does not exceed in magnitude an arc-rotation by the first object when the first object is proximate the infant,
5. that the arc-rotation is equal to 360 degrees divided by the total number of objects,
6. that the audible sound associated with each object occurs only while the object is disposed proximate the infant and while the object is disposed within the arc-rotation,
7. and that the audible sound "identifies" the object.

With regard to the cited prior art that is relied upon:

Reynolds teaches displaying a light over or proximate a collectible along with a sound as controlled by a control module which is set in accordance with a user's input. There is no synchronization between the location of an object as it rotates around in a circle (on the mobile) with its activation (i.e., light and sound). It is activated regardless of its position for an extended period of time for the viewer to observe and listen to numerous facts about the collectible, for example, baseball statistics or information about a historical figure, as is described in Reynolds' specification. The object of Reynolds can be illuminated not only anywhere along its path of rotation, but it can be illuminated and the sound track played for several consecutive rotations around the mobile to allow sufficient time for the user (not an infant) to learn all that is to be learned regarding the collectible at hand. Therefore, Reynolds does not synchronize the position of the object (i.e., collectible) along any range of arc-rotation of a circle with sound. True, Reynolds does appear to synchronize sound with an object, but not sound with position of the object along a range of arc-rotation.

Baik teaches a pull string that rotates an object and which activates a motor and/or plays a soundtrack in the object. There is no teaching by Baik that a particular soundtrack played in any way relates to the position of the object in space, namely that the object faces the child. The infant associates the sound track with the illuminated object, regardless of whether it is near or far from the infant. Furthermore, Baik does not rotate the object continuously in a circle of its own accord and without user input. The baby must pull the string for each 1/5 of a full rotation of indexing to occur. True, Baik teaches a mobile which synchronizes audible sounds with an object, but not sound with position of the object along a range of arc-rotation.

Fearon teaches a mobile that starts, stops, accelerates, slows down, and reverses direction as a result of various inputs, for example noise from the infant, ambient noise, or motion detected by the infant. Fearon also teaches a mobile that starts, stops, accelerates, slows down, and reverses direction in accordance to the amplitude of the audio signal (reference number 195, FIG. 5) produced by the cassette or CD. True, Fearon teaches a mobile whose movement is influenced by sound, but not sound with position of the object along a range of arc-rotation.

Neither do any of the prior art references teach specifically identifying an object by the audio output during the range of arc-rotation when the object is closest to the infant. No teaching that associates audio output with a particular object over a range of arc-rotation, as claimed, is disclosed by the prior art.

This capability, as claimed, provides substantial and significant benefits not available with the prior art. The infant hears the name of an object only when that object is proximate the infant and therefore the infant learns to more quickly associate the name of the object with the object itself. This is a significant benefit absent the prior art. Therefore, it would be absent any applied combination of the prior art.

Therefore, it is believed to be both clear and certain that any applied combination of these three devices will through a variety of possible scenarios, result in the illumination of various objects at various times and even move them about at various speeds and directions, however none of these references teach or suggest the continuous rotation of a plurality of objects with a specific identifying playback for each object occurring when that

object (one at a time) reaches a particular location (is within a well-defined arc-rotation) and ending when the object is removed from that arc-rotation.

Accordingly, the rejections under 35 U.S.C. 103 (a) to remaining claims 1-5 and 7-9 are believed to be overcome and reconsideration is respectfully requested.

3. The Examiner's Response to Arguments from the previous amendment are noted and appreciated. The instant amendments are well believed to overcome all current rejections and reconsideration is therefore respectfully requested.

4. The Conclusion and Final Rejection is noted. An RCE and payment thereof is enclosed. Please enter the RCE and continue prosecution on the merits.

As all remaining claims 1-5 and 7-9 appear to be in condition of allowance, reconsideration thereof is respectfully requested, and a notice of allowance is courteously urged at the earliest time.

The applicant appreciates the opportunity to communicate by telephone with the Examiner if necessary.

Please continue to direct all future correspondence to the
correspondence address and telephone as shown below.

Respectfully submitted,

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